

SENATE BILL 236

By Watson

AN ACT to amend Tennessee Code Annotated, Section 4-5-202, relative to proposed rules.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-5-202(a)(2), is amended by deleting the first sentence in subdivision (2) and by substituting the following:

(2) The proposed rule is posted to the administrative register web site within the secretary of state's web site within five (5) business days of receipt, together with a statement that the agency will adopt the proposed rule without a public hearing unless within thirty (30) days after the first day of the month subsequent to the filing of the proposed rule with the secretary of state a petition for a public hearing on the proposed rule is filed by twenty-five (25) persons who will be affected by the rule, an association of twenty-five (25) or more members, a municipality or by a majority vote of any standing committee of the general assembly.

SECTION 2. Tennessee Code Annotated, Section 4-5-202, is amended by adding the following as a new, appropriately designated subsection:

(d) An agency that has filed an emergency rule pursuant to § 4-5-208 may not file a proposed rule on the same subject without first holding a public hearing as provided in this section.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.